

**UNITED STATES DISTRICT COURT  
DISTRICT OF MAINE**

CATHLEEN M. WOLTERS DORF and  
KURT WOLTERS DORF,

Plaintiffs

v.

Civil No. 05-107-P-C

RUSSELL L. DESROCHERS and PHILLIPS  
EXPRESS, INC.,

Defendants

Gene Carter, Senior District Judge

**ORDER ON PLAINTIFFS' REQUEST FOR TAXATION OF  
PREJUDGMENT INTEREST, POSTJUDGMENT INTEREST, AND COSTS**

Plaintiffs request that the Court award prejudgment interest at a rate of eight percent (8.0%) for Kurt Woltersdorf and at a rate of six and ninety-seven one hundredths percent (6.97%) for Cathleen Woltersdorf from July 27, 2000 through July 6, 2006. Defendants object to any award of prejudgment interest arguing that the notice of claim sent by Plaintiffs was not "under oath" as required by 14 M.R.S.A. § 1602-B(5). After considering the arguments, the Court concludes that Plaintiffs gave Defendants notice of their claims sufficient to satisfy section 1602-B(5). With respect to Plaintiffs' request for postjudgment interest, accruing from July 7, 2006 at a rate of five and twenty-seven one hundredths percent (5.27%), Defendants assert no objection. With respect to Plaintiffs' request for costs, Defendants object to the inclusion of twenty-four dollars (\$24.00) for

copying a DVD, two hundred sixty-seven dollars and seventy-five cents (\$267.75) for editing a DVD that was not used at trial, and the costs associated with taking of six depositions. The Court agrees with Defendants' objection to the inclusion of the costs for copying the DVD and editing a DVD that was not used at trial. With the exception of the deposition of Gary George, the Court finds that the deposition costs are reasonably included in the bill of costs.

Accordingly the Court **ORDERS** Plaintiffs be awarded: prejudgment interest at a rate of eight percent (8.0%) to Kurt Woltersdorf and at a rate of six and ninety-seven one hundredths percent (6.97%) to Cathleen Woltersdorf from July 27, 2000 through July 6, 2006; postjudgment interest, accruing from July 7, 2006 at a rate of five and twenty-seven one hundredths percent (5.27%); and costs of filing fees and service of the Summons and Complaint of two hundred seventy dollars (\$270.00), court reporter fees of seven hundred forty-nine dollars and nine cents (\$749.09), witness fees of one hundred twenty dollars (\$120.00), deposition costs of two thousand twelve dollars and eighteen cents (\$2,012.18), and docket fees of thirty-five dollars (\$35.00).

/s/ Gene Carter  
GENE CARTER  
Senior United States District Judge

Dated this 12th day of September, 2006.